

REMARKS

This is in response to the *Ex Parte Quayle* action mailed December 23, 2005. In that action, claims 21-31 were allowed. Claims 32-41, which had been added by amendment before the *Ex Parte Quayle* action, were not acted on. Instead, they were characterized, incorrectly, as "...withdrawn from further consideration pursuant to 37 C.F.R. §1.142(b) as being drawn to a non-elected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/28/2005." (emphasis in original).

Claim 32 depends from allowed claim 22. Each of claims 33-41 depends from allowed claim 21. No election was ever made with respect to claims 32-41 because no restriction requirement was ever made as to those claims. Moreover, 37 C.F.R. §1.142(b) does not apply with respect to claims 32-41 because none of those claims is "independent and distinct" as required by that rule.

It is requested, therefore, that the *Ex Parte Quayle* status of the application be withdrawn and that all of the claims be acted on.

Where claims 21-31 have been allowed, and where claims 32-41 depend on an allowed claim, those claims are allowable as well.

Respectfully submitted,



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